

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

DR. JOHN ROE,)	
)	
Plaintiff,)	
)	
VS.)	CIVIL ACTION
)	NO. 5:22-CV-00869-JKP-HJB
UNITED STATES OF AMERICA,)	
et al.,)	
)	
Defendant.)	

ORAL AND VIDEOTAPED DEPOSITION OF DANIEL D.S. BROWN

MARCH 24, 2025

VOLUME 1

CONFIDENTIAL

ORAL AND VIDEOTAPED DEPOSITION OF DANIEL D.S.

BROWN, produced as a witness at the instance of the PLAINTIFF, and duly sworn, was taken in the above-styled and numbered cause on March 24, 2025, from 10:02 a.m. to 5:11 p.m., before Marta M. Johnson, CSR No. 10743, in and for the State of Texas, reported by machine shorthand, at the law offices of Hendley & Hodges Law PLLC, 4594 US Highway 281 N, Spring Branch, Texas 78070, pursuant to the Federal Rules of Civil Procedure, and the provisions stated on the record or attached hereto.

DEFENDANT'S
EXHIBIT

4

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1 introduce themselves.

2 MR. WAREHAM: Yeah. Apparently, AI wants
3 us to know they're here.

4 MR. HODGES: Siri entering their
5 appearance.

6 MR. WAREHAM: Exactly. All right. Lance,
7 do you want to do that again?

8 MR. HENRY: Lance Henry.

9 MR. SKINNER: Good Afternoon,
10 Reginald Skinner, U.S. Department of Justice, for the
11 defendants.

12 MS. SEEMAN: And Katrina Seeman, same.

13 MR. GREEN: And Robert Green for the
14 defendants.

15 MR. BARRERA: I'm Bobby Barrera for
16 Mr. Dan Brown individually, not a party to the
17 litigation.

18 DANIEL D.S. BROWN,
19 having been first duly sworn, testified as follows:

20 EXAMINATION

21 BY MR. WAREHAM:

22 Q. All right. Now, I'm not usually in this chair,
23 so do you guys usually give the long form instruction?
24 Like -- or is that -- where you guys are good? Kind of
25 leave it up to me? Okay. Great.

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1 employment?

2 A. I'm an engineer -- or lead engineer for the
3 section in Air -- AFLCMC, Air Force Life Cycle
4 Management Center.

5 Q. Okay. And there's a term --

6 MR. SKINNER: I want to --

7 MR. WAREHAM: Go ahead.

8 MR. SKINNER: I want to object. But I just
9 need to ask the witness to -- he has hands covering his
10 mouth.

11 THE WITNESS: Oh.

12 MR. SKINNER: So it makes it a little bit
13 difficult to make out everything he's saying. So, you
14 know -- thank you, Mr. Brown. I understand this is not
15 the most comfortable thing to be doing on a Monday
16 morning. But, yeah, if you could just make sure that we
17 can hear everything that you're saying. Thank you.

18 MR. WAREHAM: Yeah.

19 MR. HODGES: Reggie, are you having any --
20 this is John Hodges. Are you having any trouble hearing
21 the witness?

22 MR. SKINNER: Not volumewise, you know. I
23 can -- we can definitely hear him.

24 MR. HODGES: Okay. Thank you.

25 MR. SKINNER: The volume is good.

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1 for 90th?

2 A. 90th IOS, Information Operation Center.

3 Q. Okay. And how long did you do that?

4 A. Oh, just what are -- I -- from -- ah, geez.

5 I'm not going to get the dates right. 2003 to 2013 or

6 so. I'm not -- I'm not going to get the dates right.

7 And then I worked at AFCERT for about a year and then I

8 went to Life Cycle Management Center.

9 Q. Okay. And in the Air Force Life Cycle
10 Management Center, what -- did you have any role with
11 respect to hiring or contracting?

12 A. At what?

13 Q. Hiring or contracting.

14 A. I'm an engineer, so I provide technical advice.

15 Q. All right. Have you ever been involved in
16 retaining contractors as part of that role?

17 A. What do you mean?

18 Q. Have you ever suggested that somebody present a
19 contract for contracting to Air Force Life Cycle
20 Management Center?

21 MR. SKINNER: Object -- object to form.

22 Q. (BY MR. WAREHAM) Go ahead.

23 A. Say it again.

24 Q. Have you ever suggested that someone present a
25 contract to Air Force Life Cycle Management Center?

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1 not a contract. Maybe I'm misunderstanding your
2 question. If you can rephrase it.

3 MR. WAREHAM: Sure.

4 Q. (BY MR. WAREHAM) Did you ever -- did -- to
5 your knowledge, did Dr. Roe ever get a contract at Air
6 Force Life Cycle Management Center?

7 A. No.

8 Q. No? He was never contracted to work there?

9 A. It was an AFRL contract.

10 Q. Say that again.

11 A. It was an AFRL contract.

12 Q. What is that?

13 A. It's another agency in the Air Force. It's not
14 a Life Cycle Management Center contract.

15 Q. Okay. Did he ever work at Air Force Life Cycle
16 Management Center?

17 A. I -- I don't know. That's, like, a loaded --
18 like, he didn't have a contract with -- I -- I don't
19 believe he had a contract with Life Cycle Management
20 Center.

21 Q. Was he present in the spaces of Air Force Life
22 Cycle Management Center?

23 A. He did have access to the building.

24 Q. Okay. Did you see him at Air Force Life Cycle
25 Management Center?

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1 A. Yes.

2 Q. Did -- do you communicate with him as part of
3 Air Force Life Cycle Management Center?

4 A. Yes.

5 Q. Did he attend meetings as part of Air Force
6 Life Cycle Management Center?

7 A. As part of -- I mean, he did attend meetings
8 for the project.

9 Q. As part of Air Force Life Cycle Management
10 Center?

11 A. I guess so. I -- it's just, like, because his
12 contract's not with us, so --

13 Q. Sure.

14 A. -- I don't know how to phrase -- answer the
15 question.

16 Q. So regardless of whose contract it was with,
17 like, the enabling agency, he -- he attended Air Force
18 Life Cycle Management Center meetings as a contractor?

19 A. Yes.

20 Q. And same with working in the spaces for Air
21 Force Life Cycle Management Center as a contractor?

22 A. Yeah.

23 Q. Did he ever at any point hold himself out to be
24 present in any of those spaces as an NSA employee?

25 A. Yes.

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1 Q. When?

2 A. I -- I don't know.

3 Q. Before --

4 A. In a lot of meetings.

5 Q. All right. And what do you recollect about
6 that specifically?

7 A. I don't remember.

8 Q. Okay.

9 A. He -- he would -- yeah.

10 Q. So you just answered rather conclusively --

11 A. He was -- yeah.

12 Q. -- yes, and then couldn't remember. So can you
13 help me --

14 A. You're asking me to remember each time that he
15 represented himself. Like, how am I going to remember
16 that?

17 Q. Do you remember a time when he did so?

18 A. I guess the main date that's in the dep- -- in
19 the thing -- in the complaint or whatever it's called.
20 I don't know what it's called.

21 Q. Okay. The main date, do you know what date
22 that was?

23 A. He was dual-hatted. He had, like, a -- I don't
24 know. He would -- he would go to some high-level
25 meetings as an NSA employee.

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1 Q. Within Air Force Life Cycle Management Center?

2 A. I don't even know what that means. He was an
3 NSA employee. He went to high-level meetings as an NSA
4 employee.

5 Q. Were these the same meetings that the Air Force
6 Life Cycle Management Center was attending?

7 A. No.

8 Q. Okay. So he would attend meetings as an NSA
9 employee, but not the Air Force Life Cycle Management
10 Center meetings?

11 MR. SKINNER: Object to form.

12 THE WITNESS: No. He did -- he had
13 introduced himself as an NSA employee at some Life Cycle
14 Management Center meetings.

15 Q. (BY MR. WAREHAM) Okay. So just referring to
16 the, quote, high-level meetings that you just referred
17 to, he was not --

18 A. I wasn't at the high-level meetings.

19 Q. Okay. So you weren't -- didn't attend that?

20 A. I was just told of the high-level meetings.

21 Q. You were told about them?

22 A. Yes.

23 Q. Who were you told about them from?

24 A. [REDACTED] These are [REDACTED] -- these are
25 meetings he attended in his NSA capacity.

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1 understanding how much Captain McVeigh's authority has
2 been in this as a captain in the Air Force; right?

3 And I -- if you can help me understand.

4 A. Captains are in charge of a lot of things.

5 Q. What -- what specifically was he in charge of?

6 A. He was in charge of special projects.

7 Q. Okay. And when we say "special projects" --

8 A. That was the name of the section.

9 Q. Okay. So he was the officer in charge of
10 special projects?

11 A. Yeah.

12 Q. Did he oversee contracts for special projects?

13 A. I don't know.

14 Q. Did he approve or disapprove funding for
15 special projects?

16 A. I can't talk about that.

17 Q. Okay. Did he write performance evaluations for
18 special projects?

19 A. I don't know.

20 Q. Did he write your performance evaluation?

21 A. No.

22 Q. Did he write Dr. Roe's performance evaluation?

23 A. Not that I'm aware of.

24 Q. Did he have direct command authority over any
25 person in Air Force Life Cycle Management Center?

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1 Q. Did McVeigh ever discuss engaging OSI with
2 respect to Dr. Roe?

3 A. I don't know McVeigh's discussion with OSI.

4 Q. Did you ever observe McVeigh interact with
5 Agent Beal?

6 A. Ever, I don't know. But not about Roe.

7 Q. Do you recall ever informing Dr. Roe that
8 Captain McVeigh was sharing his information all over the
9 office?

10 A. No.

11 Q. Do you recall --

12 A. I --

13 Q. -- any conversation --

14 Go ahead.

15 A. No. No. No.

16 MR. SKINNER: I -- if we can --

17 THE WITNESS: No.

18 MR. SKINNER: -- just try to keep it --
19 yeah. Thank you. But if we can keep the question and
20 answer format for our benefit, as well as the court
21 reporter's.

22 THE WITNESS: I was not involved in that
23 investigation. Like -- I'm, like -- I don't know
24 anything about the investigation.

25 Q. (BY MR. WAREHAM) Do you recall ever -- well --

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1 speculation and then we'll unpack it.

2 MR. SKINNER: Object to form.

3 THE WITNESS: I -- that he was working in a
4 dual capacity. They -- they just thought it was -- I
5 think they just overreacted because he was working in a
6 dual capacity. Like, it's not uncommon for someone that
7 starts an idea to want to work on it. I don't know,
8 like, why that was considered so bad.

9 Q. (BY MR. WAREHAM) And when you say "they
10 overreacted," who was that?

11 A. I think McVeigh.

12 Q. All right. Were you ever instructed not to
13 talk to Dr. Roe?

14 A. I don't -- I don't know. I don't think so.

15 Q. Were you ever instructed not to talk to Dr. Roe
16 for a year?

17 A. I don't believe so.

18 Q. What do you recall about any comments about
19 Dr. Roe after he was read out?

20 A. They were -- they were mainly mistrusting of
21 him because he was working in a dual capacity. And then
22 it got worse because they asked for, like -- they --
23 they wanted to get proof from his employer, his NSA
24 employer, that NSA had sanctioned him working in the
25 dual capacity. And when they did not get -- I believe

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1 they did not get -- they were not -- we were -- they did
2 not get the complete unredacted email, that made them
3 even more suspicious. And then I think he -- around
4 this time he quit NSA, and that made it even worse.

5 Q. Why did that make it worse?

6 A. Because it was just the timing of it. I -- I
7 don't remember exactly when he quit, though.

8 Q. What do you recollect people saying about...

9 A. It just -- I mean, it just put him in a bad
10 light.

11 Q. According to who?

12 A. I mean, I just -- I mean -- I mean, to everyone
13 it would look bad. I mean, like -- I don't know. I
14 just -- I just thought it didn't look good either.

15 Q. Are you aware if Dr. Roe was ever given a
16 debarment order?

17 A. No.

18 Q. You're not aware or he wasn't?

19 A. I'm not aware of that.

20 Q. Are you aware if Dr. Roe was ever given a
21 hearing on --

22 A. I have no --

23 Q. -- a debarment?

24 A. -- I have no idea.

25 Q. Were you ever informed of why -- did anybody

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1 ever tell you why they wanted to exclude Dr. Roe from
2 HNCO?

3 MR. SKINNER: Object to -- object to form.

4 THE WITNESS: I don't remember, like, them
5 saying anything about excluding him specifically. They
6 just were mistrusting of him because of what I just
7 described.

8 Q. (BY MR. WAREHAM) But he was eventually read
9 out; right? It wasn't just a mistrust?

10 A. That's OSI's jurisdiction.

11 Q. OSI has jurisdiction over who is read in and
12 who is read out?

13 A. I mean, like, they're one of the key people.

14 Q. Are they classification authorities for these
15 projects?

16 A. I don't know. I mean, I -- maybe. I don't
17 know. I don't know.

18 Q. Do you recall having a conversation with
19 Dr. Roe in January of 2023 relevant to his work at
20 Leidos?

21 A. He presented -- he presented -- I'm not sure of
22 the specifics, but he did provide a demo.

23 Q. In January 2023?

24 A. I think it was later in April.

25 Q. In April 2023?

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1 A. Around there somewhere. I -- I don't remember
2 the exact dates, but there was a demo that he provided.

3 Q. Between January and April 2023, do you recall
4 ever informing members of Leidos that, quote, "Dr. Roe
5 could not be present at Leidos Cyber AI briefings due to
6 events at HNCO"?

7 A. I -- I wouldn't characterize it like that.

8 Q. How would you characterize it?

9 A. That it probably wouldn't be, like -- I don't
10 know. I don't remember exactly, but I wouldn't
11 characterize it like that. It probably wouldn't be,
12 like, maybe good optically, I guess.

13 Q. Why?

14 A. Because of everything that happened.

15 Q. Do you recall ever having conversation with a
16 Mr. Todd Jasper saying that --

17 A. I -- I've talked to him.

18 Q. Okay.

19 -- saying that Dr. Roe can't be in the room
20 when he -- when presenting on Leidos topics?

21 A. I don't -- I don't recall that, but he was in
22 the room presenting Leidos stuff in --

23 Q. What?

24 A. -- demo in April.

25 Q. Was he in the room --

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1 A. He provided -- he provided the demo on telcon.

2 Q. Was he in the room in the January 2023 meeting?

3 A. I don't remember a meeting in January 2023.

4 Q. Do you remember a meeting in March 2023?

5 A. There might have been a meet -- a demo
6 possibly, in March.

7 Q. Do you recall him presenting?

8 A. No. But he did present in April of -- I -- I
9 believe. He did present a -- I'm pretty sure he
10 presented, but I believe it's in April of 2023.

11 Q. Do you recall ever informing --

12 A. And that -- that did not garner any attention.

13 Q. Okay.

14 A. And it -- and I was -- I -- I -- it was -- it
15 was described to me earlier by, I believe, Todd about
16 the technologies. And when it was presented, it did not
17 live up to its claims.

18 Q. Do you recall ever making the statement
19 "Dr. Roe cannot associate his name with Leidos Cyber AI
20 products"?

21 A. No.

22 Q. Do you ever remember --

23 A. He -- he actually presented, though.

24 Q. Do you ever recall making a communication that
25 was similar in substance?

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1 Q. Okay. All right. So from Paragraph 9, what
2 was downward into the complaint, Exhibit 1, what other
3 areas did you identify as exaggerative in nature?

4 A. I mean, a lot of this is just, like -- a lot of
5 this is just, like, hyperbole. But, like, I'm just
6 focusing on the stuff that's related to me --

7 Q. Sure.

8 A. -- or what you're saying that I know.

9 Q. So to be clear, I'm not saying you know
10 anything. I'm -- this is an inquiry to understand what
11 you do know. And so there's not really a wrong answer
12 here.

13 A. I mean, some of them in here you're saying I'm
14 -- I've said something. Like, later on it goes into it.

15 Q. All right. What is the next area you can
16 identify as something, as you've described, exaggerated
17 or lies or whatever words you used to describe it?

18 A. Page 14, it's 61. I don't know of any
19 permanent bar from ever acting as a contract consultant.

20 Q. Okay. Meaning, have you ever seen any
21 documentation related to a debarment?

22 A. I haven't -- I don't know of any bar in any way
23 from him permanently being barred.

24 Q. Okay. What is the next area?

25 A. Page 16, bullet 78. I don't remember asking

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1 it because I had too much work.

2 Q. (BY MR. WAREHAM) Why did Captain McVeigh
3 suggest that it was your responsibility to have that
4 email?

5 MR. SKINNER: Objection. Object to form.
6 Objection, speculation.

7 THE WITNESS: Because he was working in a
8 dual-hat capacity.

9 Q. (BY MR. WAREHAM) But why did -- you just said
10 Captain McVeigh thought you needed to have that due
11 diligence done. Do you remember saying that?

12 A. (Witness nods affirmatively.)

13 Q. Why did Captain McVeigh tell you that you
14 needed to have that?

15 MR. SKINNER: Objection to form.

16 THE WITNESS: Because I guess I was on the
17 project longer than he was.

18 Q. (BY MR. WAREHAM) Did you have authority over
19 the project?

20 A. I'm only an engineer. I don't have PM
21 responsibilities or authority.

22 Q. So did you have any authority on the project
23 whatsoever?

24 A. Again, I'm an engineer. I've -- I offer
25 technical advice. That's my position description.

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1 Q. Is your answer, then, "no" to that question?

2 A. What was the question?

3 Q. Did you have authority over the projects as an
4 engineer?

5 A. I don't know. It's, like, a broad term. Like,
6 I have to answer precisely.

7 Q. Did you supervise personnel?

8 A. No.

9 Q. Did you write fitness reports?

10 A. No.

11 Q. Did you write evaluation reports for civilians?

12 A. No.

13 Q. Did you sign contracts?

14 A. No.

15 Q. Did you vet contractors?

16 A. Did I vet contractors? No.

17 Q. Did you recommend contractors to positions?

18 A. No.

19 Q. So when you say it is confusing to you when I
20 asked, did you have authority over the projects, what
21 authorities did you have, if not those?

22 A. I just -- I provided technical advice, I guess,
23 so that wouldn't be an authority.

24 Q. So why would a technical advisor need to have
25 the NSA email?

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1 A. That's my position. I -- that was my position;
2 his position was different.

3 Q. When you say it was different, what was his
4 position?

5 A. His position was that I should have made sure
6 from NSA that he could work in a dual-hat capacity.

7 Q. Because you'd been around longer?

8 A. I guess, yeah. I mean, that was his position.
9 Like, I don't know how many times -- his position was
10 that I should have done due diligence. My position was,
11 it wasn't -- it's not my role to do that.

12 Q. And when was this conversation?

13 A. Around that day, August 13, I think.

14 Q. All right. What is the next paragraph that you
15 take umbrage with?

16 A. Oh, my gosh. What were we on, 132?

17 Q. I believe so, or around there.

18 A. 136, I don't remember saying this.

19 Q. You don't remember that conversation?

20 A. Correct.

21 137, I don't remember this. I remember
22 that Todd said that they were doing cool work. Like,
23 this -- this next -- this next set of -- page 25, I
24 remember Todd saying that they were doing -- they were
25 doing cool work because -- but then when it was demoed

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1 in April, it did not live up to expectations and it was
2 not -- it was not considered that great.

3 Q. So you do recall making the statement "Let me
4 know when the tools are ready"?

5 A. No.

6 Q. Okay. What was the next paragraph?

7 A. 139.

8 Q. And what is the issue with that paragraph?

9 A. I thought it was bad optics if -- if Roe were
10 to present it, I guess.

11 Q. All right. And because you don't remember
12 making that statement --

13 A. What?

14 Q. -- or you did not make that statement?

15 A. I don't remember. I just -- I would think -- I
16 would think it would be bad optics if he presented.

17 Q. Would it be possible that you made that
18 statement?

19 MR. SKINNER: Object -- objection, form.

20 THE WITNESS: I don't remember making that
21 statement.

22 Q. (BY MR. WAREHAM) But you can't conclusively
23 say you did not?

24 MR. SKINNER: Objection to form.

25 THE WITNESS: I -- I -- yeah. I don't

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1 think I did, but I -- I can't remember.

2 Q. (BY MR. WAREHAM) Okay. The next part.

3 MR. SKINNER: Sorry. What was the
4 question? You mumbled.

5 Q. (BY MR. WAREHAM) I said, the next part.

6 A. Same thing for 140.

7 Q. You don't remember making that statement or you
8 did not make?

9 A. I don't remember making that statement.

10 Q. Okay.

11 A. And I -- I would just think it would be bad
12 optics. I don't think I would make that statement.

13 Q. Okay. The next one.

14 A. 141, same thing.

15 Q. You don't remember?

16 A. I just want to point out, like -- like, Todd
17 kept describing that these tools were cool, but it
18 would -- did -- did not go anywhere near what his claims
19 were.

20 Q. So usefulness of the tools is not really my
21 focus. My focus is, did you ever show -- did you make
22 that statement, one -- in 141?

23 A. I don't -- I don't remember making that
24 statement.

25 Q. Okay. And to be clear, you -- you don't

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1 remember, not that you didn't make that statement?

2 A. I -- I mean, I -- how can I say I didn't make
3 the statement if I don't remember?

4 Q. Are you uncertain or are you sure you didn't
5 make that statement?

6 A. I don't remember making the statement.

7 Q. Okay. Next one.

8 A. 142.

9 Q. And what -- what about that one?

10 A. I would never say it like -- I would never say
11 this stuff. For classified TS -- I would never say that
12 stuff.

13 Q. Okay. And, like, which part wouldn't you have
14 said?

15 A. Talking about classified stuff. I would never
16 say that.

17 Q. Well, you do agree that you can label something
18 classified to --

19 A. I would never -- I would never say something
20 the way it's phrased here.

21 Q. How would you have said it?

22 A. I -- I would -- I wouldn't have said any --
23 like, the most I would have asked for is a demo.
24 Because people say stuff all the time that aren't true.
25 Like, it's the number one thing with contractors. They

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1 Q. Were you in the new location in 2023?

2 A. No.

3 Q. It was the old location?

4 A. Yeah.

5 Q. And what was your extension?

6 A. I don't know.

7 Q. You don't recall your phone extension?

8 A. No.

9 Q. All right. What next portion of the complaint
10 do you take exception with?

11 A. I don't remember 143, but it could happen. I
12 don't remember 144.

13 Q. But could it have happened?

14 MR. SKINNER: Object to form.

15 THE WITNESS: It's just -- again, it's the
16 bad light.

17 Q. (BY MR. WAREHAM) What do you mean by bad
18 light?

19 A. I mean, just bad optics.

20 Q. When you say "bad optics," you mean your
21 communications that Dr. Roe being involved was bad
22 optics. Is that what you mean?

23 A. I mean, like -- it's just -- it would be bad
24 optics if he was, like, demonstrating the stuff.

25 Q. All right. And what's next?

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1 A. I don't know about any debarment.

2 Q. All right. That's 145?

3 A. Yeah.

4 Q. Okay. How about after that?

5 A. 146, I don't know anything about debarment.

6 Q. Do you know if whether -- whether or not at
7 this moment Dr. Roe is allowed to enter HNCO?

8 A. I'm sure he's allowed to enter HNCO.

9 Q. Okay. And he's -- have you seen him do so
10 since August of 2020?

11 A. No.

12 Q. All right. How about the next part?

13 A. 149, I don't think that's true. I don't know
14 if it's true. I don't think it is.

15 Q. Okay. How about the next?

16 A. 150, I don't think he was permanently
17 prohibited at all.

18 Q. All right. How about after that?

19 A. 152, I don't think he's debared from any work.

20 Q. Would you be involved in a debarment process at
21 Air Force Life Cycle Management Center?

22 A. No.

23 Q. So you wouldn't have reason to know if one had
24 been started or not?

25 A. I'm sure someone would have said something, but

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1 I -- that's just -- this is, like, I would find that
2 very, very unlikely. Like, this is -- I -- yeah. I
3 would just find it very unlikely.

4 Q. Okay. Next.

5 A. 153, that doesn't sound right.

6 Q. What doesn't sound right about it?

7 A. "But is not allowed to walk across the street
8 and enter another office." Again, he was -- he briefed
9 their -- he briefed their technology in April.

10 Q. Is it accurate that they're somewhat co-located
11 physically?

12 A. What?

13 Q. The two offices.

14 A. I guess Leidos is across the street.

15 Q. Yeah.

16 To be clear, when you say "there," you
17 meant Leidos?

18 A. Their offices, I thought you meant HNCO
19 offices. "But is not allowed to walk across the street
20 and enter their offices."

21 Q. Just when you said just now "their tech, they
22 briefed their tech" --

23 A. Oh.

24 Q. -- you meant Leidos?

25 A. Yeah.

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1 Q. Yeah.

2 And Leidos and HNCO are co-located?

3 A. I mean, the one's across the street from the
4 other.

5 Q. Yeah. Okay. Next part.

6 A. I don't know about any of this debarment stuff,
7 again.

8 Q. Okay.

9 MR. SKINNER: What paragraph are we looking
10 at?

11 MR. WAREHAM: Say again, Reggie? Sorry. I
12 didn't hear you.

13 MR. SKINNER: I didn't hear him refer to a
14 specific paragraph. Did he mention a specific
15 paragraph?

16 MR. WAREHAM: No, he didn't.

17 THE WITNESS: I was --

18 MR. WAREHAM: He said he didn't know
19 anything about this debarment stuff.

20 THE WITNESS: Page 29.

21 MR. WAREHAM: Yeah.

22 THE WITNESS: 172, I don't think that he
23 was characterized as a scam or fraudulent.

24 Q. (BY MR. WAREHAM) Okay.

25 A. 173, I don't know about debarment. 175, I

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1 don't know about any scam or scam artist or fraud. They
2 were, again, worried about him being dual hat.

3 Q. Do you know what the core offense of somebody
4 being dual hat is called under the statutes?

5 A. No. They were worried about a conflict of
6 interest.

7 Q. All right. What's next?

8 A. I never said 180. Bro- -- I do not remember.
9 I do not think I would ever say this, "Dr. Roe is barred
10 from HNCO permanently."

11 Q. Did you express anything regarding Dr. Roe's
12 absence from HNCO, to your recollection?

13 A. To Roe?

14 Q. To anyone.

15 A. I mean, it's just, again, a bad light, bad
16 optics.

17 Q. Okay.

18 A. I don't know about 181. I'm not part of this
19 project. Again, I was out of special projects, like, a
20 month after all this happened.

21 Q. Okay. Was there any paperwork with --

22 A. No.

23 Q. -- that was produced from your exclusion from
24 the project?

25 A. I don't -- I don't know.

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1 remember -- like, to be clear, do you remember learning
2 about the security incident investigation?

3 A. I have, like, a faint recollection, but I don't
4 remember the details.

5 Q. Were you a security manager at the time?

6 A. Me?

7 Q. Yeah.

8 A. No.

9 Q. All right. Next.

10 A. I don't know about 211. Oh, wait. I already
11 did that. Did we already do 211? Golly. I don't know
12 about 212. I don't know about 215. Yeah, we did that.
13 I -- these are just general statements. I don't know
14 about...

15 Q. That's fine.

16 Any factual basis that you object to or
17 find -- or -- or --

18 A. 223, I never said that [as read] "...learned of
19 these Privacy Act from Dan Brown on 'all your stuff' is
20 being sent around to everyone..." I would -- I don't
21 even know that stuff.

22 Q. Okay. Do you recall any rumors about Dr. Roe
23 after he left?

24 A. No.

25 Q. Do you recall HNCO personnel discussing Dr. Roe

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1 record at 4:50.

2 Q. (BY MR. WAREHAM) So you seem to be rather tied
3 into the reputation around Captain McVeigh. Are you
4 aware of --

5 MR. HODGES: Hey, Jason, can you give me
6 just a second?

7 MR. WAREHAM: Yeah. Sure.

8 (Discussion off the written record.)

9 THE VIDEOGRAPHER: We're still on the
10 record.

11 Q. (BY MR. WAREHAM) All right. Back to -- back
12 to my question. You seem to be pretty tied in with the
13 understanding of Captain McVeigh's reputation. Do you
14 know how Dr. Roe's reputation has been affected in this
15 process?

16 MR. SKINNER: Object to form.

17 THE WITNESS: No.

18 Q. (BY MR. WAREHAM) No, you're not aware of
19 Dr. Roe's reputation?

20 MR. SKINNER: Same objection.

21 THE WITNESS: I mean, like, I know -- I
22 mean -- I mean, McVeigh didn't like him, I guess, after
23 this.

24 Q. (BY MR. WAREHAM) Excuse me?

25 A. McVeigh didn't -- didn't trust him, I guess.

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1 Q. Uh-huh.

2 Do you know how he's regarded in the
3 industry?

4 A. No. I have no idea.

5 Q. All right. Did you ever know how he was
6 regarded in the industry, even before this?

7 A. Just from Todd, I guess.

8 Q. All right. And what did Todd tell you?

9 A. Thought -- thought he was pretty good.

10 Q. Okay.

11 (Exhibit 10 was marked for identification.)

12 Q. (BY MR. WAREHAM) So going to what will be
13 Exhibit 10. This is the subpoena for a deposition to
14 include production of documents.

15 I want to be clear, do you believe you have
16 anything in your possession regarding -- in your
17 personal possession, not belonging to the federal
18 government --

19 A. No.

20 Q. -- or stored on government devices related to
21 the plaintiff, any defendant, or any Fibonacci program?

22 A. I -- I don't have any stuff on my -- on my
23 personal things.

24 Q. All right. Did you ever take phone calls on
25 your personal cell phone relative to any of these

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1 the exact words or, like, a -- a direct order given.
2 There was a lot of things going on that day.

3 Q. (BY MR. SKINNER) And what made you believe
4 that McVeigh wanted Dr. [REDACTED] fired?

5 A. The -- the conflict of interest.

6 Q. What did McVeigh say to you that made you
7 believe he wanted Dr. [REDACTED] fired?

8 A. I don't remember.

9 MR. WAREHAM: Objection, form.

10 THE WITNESS: I don't remember.

11 Q. (BY MR. SKINNER) You testified about it not
12 being, quote, "good optically if [REDACTED] was present for
13 presentations by Leidos to HNCO." Do you remember that?

14 A. I remember saying that today.

15 Q. And by saying it wouldn't be good optically,
16 was that your personal opinion?

17 MR. WAREHAM: Objection, form.

18 THE WITNESS: Yes. That was a personal
19 opinion.

20 Q. (BY MR. SKINNER) In other words, you were not
21 telling [REDACTED] that he could not present; is that
22 correct?

23 MR. WAREHAM: Objection, form.

24 THE WITNESS: Ultimately he did present.

25 Q. (BY MR. SKINNER) So you were not telling

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1 him --

2 A. He did -- I --

3 Q. You were not --

4 A. -- I just remember it -- it looked bad
5 optically, and he was able -- he did present in April.

6 Q. Got it. Understood.

7 So here's my question, you were not
8 directing [REDACTED] not to be present for the
9 presentation?

10 A. I don't believe --

11 MR. WAREHAM: Objection, form.

12 THE WITNESS: -- I don't believe so.

13 Q. (BY MR. SKINNER) Were you telling Dr. [REDACTED]
14 that others did not want him to present?

15 MR. WAREHAM: Objection, form.

16 THE WITNESS: I don't believe so.

17 Q. (BY MR. SKINNER) Were you telling Leidos that
18 [REDACTED] cannot present?

19 MR. WAREHAM: Objection, form.

20 THE WITNESS: I -- I don't believe so. All
21 I remember is that I thought it would look bad
22 optically.

23 MR. SKINNER: No further questions. We're
24 done.

25 MR. WAREHAM: Just a moment, please.

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1 amount of time used by each party at the time of the
2 deposition:

3 MR. JASON R. WAREHAM, ESQ. - 03 HOURS:50 MINUTE(S)
Attorney for Plaintiff

4 MR. REGINALD M. SKINNER, ESQ. - 00 HOURS:06
MINUTE(S)

5 Attorney for Defendant
6 MR. ROBERT J. BARRERA, ESQ. - 00 HOURS:00 MINUTE(S)
Attorney for Dan D.S. Brown

7
8 I further certify that I am neither counsel for,
9 related to, nor employed by any of the parties or
10 attorneys in the action in which this proceeding was
11 taken, and further that I am not financially or
12 otherwise interested in the outcome of the action.

13 Certified to by me this 9th day of April, 2025.

14
15 /s/ Marta M. Johnson

16
17 Marta M. Johnson, Texas CSR 10743
Expiration Date: 10/31/26
Firm Registration No. 413
18 Koole Court Reporters of Texas
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19 San Antonio, Texas 78230
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23
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